DAILY HONG KONG

Published: 17:54, August 18, 2025

Canberra demeans itself by granting Ted Hui asylum

By Grenville Cross

On Aug 16, the criminal fugitive, Ted Hui Chi-fung, announced that he had been granted asylum in Australia. He was notified the previous day by the Australian Department of Home Affairs, which had also granted visas to his wife, children, and parents. Although he is wanted by the Hong Kong courts for a variety of crimes and is accused of national security offenses, this was disregarded by the Australian authorities.

Coincidentally, one of Hui's former henchmen, Tony Chung Hon-lam, a notorious secessionist who was imprisoned in Hong Kong in 2021 for the offenses of secession and money laundering and is also wanted for national security crimes, revealed on his X account last week that the United Kingdom had also granted him asylum.

As always, Australia and the UK have followed the lead of the United States. When, for example, Brian Leung Kai-ping, a leader of the mob that trashed the Legislative Council chamber on July 1, 2019, causing damage of over HK$40 million ($5.11 million), evaded arrest by fleeing to the US (via Taiwan), he was warmly welcomed by the authorities. He now pursues his anti-China agenda through the "Hong Kong Democracy Council", a propaganda tool, which he chairs. China-hostile elements in the US Congress lionize him, and, when he appeared before its foreign affairs committee, he repaid his hosts for their hospitality by accusing Beijing and the Hong Kong Special Administrative Region government of "relentless repression", and declaring that China had "relegated 'one country, two systems' to the dust of history".

international law.

To grant Hui asylum was a calculated insult to China and an affront to the rule of law. Although the Australian prime minister, Anthony Albanese, visited Beijing last month to seek improved relations with China, the Hui saga has inevitably called into question his bona fides. It was, moreover, also revelatory.

Although the Five Eyes partners have claimed they did not support the black-clad violence that crippled Hong Kong in 2019-20, their behavior subsequently strongly suggests otherwise. By giving safe haven to the culprits, they have demonstrated their concurrence with their depredations, if not their complicity. It is a clear indication that they are looking after their agents and feel, notwithstanding the failure of their mission, that they might still be useful.

That Canberra should have embraced a figure like Hui is offensive to right-thinking people everywhere. A common criminal who lied to the courts, he is a worthless individual, as his antecedents demonstrate. For example, while serving as a lawmaker, he attacked an official in the Legislative Council complex, grabbed her telephone, and left her traumatized. Not surprisingly, he was convicted of assaulting his victim, as well as obstructing a police officer and gaining access to a computer with criminal or dishonest intent.

As if this was not bad enough, in 2020, he threw obnoxious substances around in the Legislative Council chamber and then deposited a rotten plant on the floor. He was required to pay for the damage, and was charged with attempting to use a harmful substance to cause harm, mental injury or irritation to others. He was also charged with contempt for obstructing the Council's officials amid violent scenes in May that year, which left several injured.

By the time Hui tricked the district court judge, Justin Ko King-sau, into permitting him to go to Denmark for a non-existent climate conference, he faced a litany of charges. They included involvement in an act intended to pervert the course of public justice, obtaining access to a computer with dishonest intent, and criminal damage.

blind eye to his anti-China activities, which included close liaison with subversive elements in the UK (including Hong Kong Watch) and the US (including the Hong Kong Democracy Council) who were seeking to destabilize China. Canberra, which has extraterritorial national security laws of its own, cannot, despite its huffing and puffing, have been in the least surprised when, in 2023, Hui was accused by the Hong Kong authorities of national security offenses, including foreign collusion to endanger national security and incitement to secession.

Since the insurrection's failure in 2019-20, it has been the policy of the Five Eyes partners to countenance China-hostile plotting on their soil by Chinese fugitives. When challenged, they claim — undoubtedly tongue in cheek — that the exiles are simply exercising their right to "freedom of expression", and Australia is no exception. However, anybody familiar with the way China-hostile elements conduct their operations in their Western sanctuaries will know the truth.

Although Australia, like its Five Eyes partners, claims to believe in the "international rules-based order", its granting of asylum to Hui shows otherwise. For a convicted felon with a vile criminal record to be allowed to remain in Australia despite abusing its hospitality by anti-China plotting is as contemptuous of the rule of law as it is of basic morality. It disgraces Canberra and sends out a dreadful message to the public, including the Chinese population.

According to the Lowy Institute, over 1.4 million people of Chinese heritage live in Australia today, many of them young and impressionable. They, like most other citizens, are generally responsible and law-abiding people, with no time for criminality. If they appreciate how their government has whitewashed Hui's criminal conduct and acquiesced in his sinister activities, it will naturally engender serious concerns. Indeed, if their faith in the integrity of the political system is shaken, Canberra will have only itself to blame. Its actions are despicable, although transnational justice may yet prevail.

As Hui realizes, the arm of the law is long, and the life of a criminal fugitive is not to be envied. He recognized that "Exiles have no home", but nobody need feel any pity. He will forever be looking over his shoulder, and foreign travel could be problematic. He said, "You can't take away the possibility of someone trying to kidnap me and send me

Indeed, as the Hong Kong authorities have explained, "Absconders should not think they can evade criminal liability by absconding from Hong Kong. Ultimately, they will be held liable for their acts ... and be punished by the law." Everybody, moreover, who values criminal justice and cherishes the rule of law will long for the day when Hui is finally held accountable in a court of law.

If Albanese really wants improved relations with China, he should stop harboring its criminals and respect the comity of nations. There can be no room for double standards, let alone politically motivated provocations. No civilized society should have any truck with serial offenders like Hui, and Canberra has demeaned itself by letting him stay.

The author is a senior counsel and law professor, and was previously the director of public prosecutions of the Hong Kong Special Administrative Region.

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